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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 8TH DAY OF JUNE, 1998.

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIAH.

WRIT PETITION NO. 7658/1998.

BETWEEN:-

Sri.H.Ramakrishnappa,
s/o late Hanumappa,
aged about 60 years,
residing at No.586,
III Main, A Block,
II stage, Rajajinagar,
Bangalore.10.

..Petitioner.

(By Sri.S.N.Bhat., for petr.,)

AND:-

1. Karnataka Housing Board,
Cauvery Bhavan, B'lore.9,
rep.by its Chairman.

.2.

2. Smt. Rangalakshmi,
w/o Sri.Devarajappa,
aged about 45 years,
d/o late Lakshmamma,
r/at No.72, New Street,
Yelahanka, Bangalore.64.

..Respondents.

(By Sri.Basavaraj.V.Sabarad for R-1

Sri. S.Chennarayana Reddy., for R-2)

Writ Petition filed under Articles 226
and 227 of the Constitution of India with an affidavit
praying to direct the R-1 to demolish the entire
structure which is put up in the schedule property
by the R-2and etc.,

Writ Petition coming on for prly.hg. in
'B' group this day, the Court made the following:-

O R D E R

CSJ:-

8.6.98.

The petitioner has filed this petition seeking
for a direction to the 1st respondent Housing Board

to demolish the entire structure put up by the 2nd respondent on the ground that the said construction is without licence and also without getting the plan approved. Under the Scheme of the Housing Board Act, the Housing Board is not empowered by any power to demolish the building, if the same is in deviation of the plan. Therefore, no direction can be issued to the respondent as sought for.

Accordingly, writ petition is rejected.

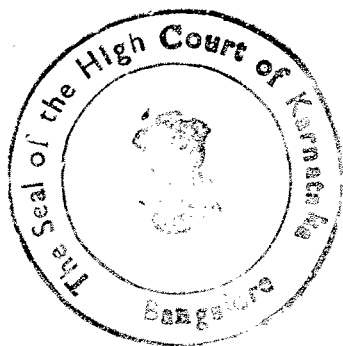
Sd/-Judge.

sns(o.s.)

r.by: D 17/8/98

c.by: L.

B



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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

17/8/98

